

APPEAL

**United States District Court
District of Massachusetts (Worcester)
CIVIL DOCKET FOR CASE #: 4:04-cv-40236-FDS**

Campbell v. Isolations Technologies et al
Assigned to: Judge F. Dennis Saylor, IV
Cause: 42:2000 Job Discrimination (Race)

Date Filed: 11/12/2004
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

Anthony Campbell

represented by **Anthony Campbell**
PO Box 3469
Worcester, MA 01613
508-757-5123
PRO SE

V.

Defendant

Isolations Technologies

represented by **William M. Zall**
Cunningham, Machanic, Cetlin,
Johnson & Harney LLP
220 North Main Street
Natick, MA 01760
508-651-7524
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

I hereby certify on 10/6/06 that the foregoing document is true and correct copy of the
 electronic docket in the captioned case
 electronically filed original filed on _____
 original filed in my office on _____

Sarah A. Thornton
Clerk, U.S. District Court
District of Massachusetts

By: Katherine Hassett
Deputy Clerk

Scott L. Machanic
Cunningham, Machanic, Cetlin,
Johnson & Harney LLP
220 North Main Street
Natick, MA 01760
781-237-7030
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Email: smachanic@cmlaw.net
ATTORNEY TO BE NOTICED

Defendant

Larry D'Amato
Operations Manager at Isolations

Technologies

TERMINATED: 09/23/2005

Date Filed	#	Docket Text
11/12/2004	•①	COMPLAINT against Larry D'Amato, Isolations Technologies Filing fee: \$ 150, receipt number 404444, filed by Anthony Campbell. (Attachments: # <u>1</u> Exhibit Part 1# <u>2</u> Exhibit Part 2# <u>3</u> Exhibit Part 3# <u>4</u> Civil Cover Sheet)(Jones, Sherry) (Entered: 11/12/2004)
11/12/2004	•	Summons Issued as to Larry D'Amato, Isolations Technologies. (Jones, Sherry) (Entered: 11/12/2004)
12/03/2004	•②	ANSWER to Complaint by Isolations Technologies, c/s.(Hassett, Kathy) (Entered: 12/03/2004)
12/03/2004	•③	CORPORATE DISCLOSURE STATEMENT by Isolations Technologies, c/s. (Hassett, Kathy) (Entered: 12/03/2004)
02/23/2005	•④	NOTICE of Scheduling Conference. Scheduling Conference set for 3/25/2005 @ 11:30 AM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) (Entered: 02/23/2005)
03/24/2005	•⑤	PLAINTIFF'S STATEMENT re scheduling conference by Anthony Campbell.(Hassett, Kathy) (Entered: 03/24/2005)
03/24/2005	•⑥	STATEMENT OF COUNSEL of Defendant, Isolation Technologies <i>re Scheduling Conference</i> by Isolations Technologies. (Zall, William) (Entered: 03/24/2005)
03/25/2005	•⑦	CERTIFICATION pursuant to Local Rule 16.1 by Isolations Technologies.(Jones, Sherry) (Entered: 03/25/2005)
03/25/2005	•⑧	Letter/request (non-motion) from Anthony Campbell. (Jones, Sherry) (Entered: 03/25/2005)
03/25/2005	•	Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor IV: Scheduling Conference held on 3/25/2005. Case called, Counsel appear for scheduling conference, Scheduling order to issue. (Court Reporter Gibbons.) (Castles, Martin) (Entered: 03/28/2005)
03/29/2005	•⑨	Judge F. Dennis Saylor IV: Electronic ORDER entered. SCHEDULING ORDER: Final Pretrial Conference set for 1/18/2006 03:00 PM in Courtroom 2 before Judge F. Dennis Saylor IV. Status Conference set for 7/20/2005 03:00 PM in Courtroom 2 before Judge F. Dennis Saylor IV. Amended Pleadings due by 5/6/2005. Discovery due by 7/8/2005. Joinder of Parties due by 5/6/2005. Motions due by 10/28/2005.(Castles, Martin) (Entered: 03/29/2005)
04/11/2005	•⑩	CORPORATE DISCLOSURE STATEMENT by Anthony Campbell. (Jones, Sherry) (Entered: 04/11/2005)

04/15/2005	•11	Document disclosure by Isolations Technologies. (Attachments: # <u>1</u> Exhibit Exhibit A to Rule 26 Disclosures)(Zall, William) (Entered: 04/15/2005)
05/03/2005	•12	MOTION to Compel <i>Plaintiff's Rule 26(a) Disclosure and For Sanctions</i> by Isolations Technologies.(Zall, William) (Entered: 05/03/2005)
07/05/2005	•13	Letter/request (non-motion) from Anthony Campbell. (Hassett, Kathy) Modified on 8/12/2005 (Roland, Lisa). DOCUMENT STRICKEN FROM THE RECORD. SEE ORDER DATED 8/12/2005 BY CMJ SWARTWOOD. (Entered: 07/06/2005)
07/07/2005	•	Judge F. Dennis Saylor IV: Electronic ORDER entered. REFERRING MOTION <u>12</u> MOTION to Compel <i>Plaintiff's Rule 26(a) Disclosure and For Sanctions</i> filed by Isolations Technologies, to Magistrate Judge Charles B. Swartwood.(Castles, Martin) (Entered: 07/07/2005)
07/08/2005	•14	NOTICE of Appearance by Scott L. Machanic on behalf of Isolations Technologies (Machanic, Scott) (Entered: 07/08/2005)
07/08/2005	•15	MOTION to Strike <u>13</u> Letter/request (non-motion) by Isolations Technologies. (Attachments: # <u>1</u> Affidavit Peter Harney in Support# <u>2</u> Affidavit William Zall in Support)(Machanic, Scott) (Entered: 07/08/2005)
07/08/2005	•16	MOTION for Sanctions <i>Against Plaintiff For Failure to Attend Own Deposition, Order Plaintiff to Attend Own Deposition and Extend Scheduling Order to Accommodate Deposition of Plaintiff</i> by Isolations Technologies. (Attachments: # <u>1</u> Exhibit A)(Zall, William) (Entered: 07/08/2005)
07/13/2005	•	Judge F. Dennis Saylor IV: Electronic ORDER entered. REFERRING MOTION <u>15</u> MOTION to Strike <u>13</u> Letter/request (non-motion) filed by Isolations Technologies,, <u>16</u> MOTION for Sanctions <i>Against Plaintiff For Failure to Attend Own Deposition, Order Plaintiff to Attend Own Deposition and Extend Scheduling Order to Accommodate Deposition of Plaintiff</i> filed by Isolations Technologies, to Magistrate Judge Charles B. Swartwood(Castles, Martin) (Entered: 07/13/2005)
07/19/2005	•	Reset Hearing: Status Conference set for 7/20/05 is hereby rescheduled for Monday 8/22/2005 at 10:30AM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) (Entered: 07/19/2005)
07/20/2005	•17	Letter regarding depositions from Anthony Campbell. (Jones, Sherry) (Entered: 07/20/2005)
08/03/2005	•18	Judge Charles B. Swartwood : ORDER entered granting <u>12</u> Motion to Compel Rule 26(a) Disclosure and for Sanctions as provided in order, cc/cl. (Roland, Lisa) (Entered: 08/04/2005)
08/04/2005	•	Case no longer referred to Magistrate Judge Charles B. Swartwood. (Roland, Lisa) (Entered: 08/04/2005)

08/12/2005	•19	Judge Charles B. Swartwood : ORDER entered granting <u>15</u> Motion to Strike <u>13</u> Letter/request (non-motion), granting in part and denying in part <u>16</u> Motion for Sanctions, cc/cl. (Roland, Lisa) (Entered: 08/12/2005)
08/15/2005	•20	Letter/request (non-motion) from Anthony Campbell. (Jones, Sherry) (Entered: 08/15/2005)
08/22/2005	•	Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor IV: Status Conference held on 8/22/2005. Case called, Plaintiff (pro-se) and counsel for dft appear for status conference, Court and parties discuss status of case, Court orders plaintiff to provide counsel for dft with residential mailing address, Plaintiff's deposition to be held as scheduled on 8/26/05, Court orders scheduling order extended two months, Court treats plaintiff's letter as a motion to reconsider/objection to Magistrate judge order and denies motion/objection, Plaintiff to file within 10 days a pleading informing court where in complaint he demanded a jury trial, Dft to file within 10 days a motion to dismiss dft D'Amato for failure to serve complaint, New dates set as follows: Final Pretrial Conference reset for 3/17/2006 at 3:00PM in Courtroom 2 before Judge F. Dennis Saylor IV. Status Conference set for 10/14/2005 at 3:00PM in Courtroom 2 before Judge F. Dennis Saylor IV. Discovery completed by 9/9/2005. Dispositive motions due by 12/28/2005. (Court Reporter D. Tarallo.) (Castles, Martin) (Entered: 08/22/2005)
08/23/2005	•21	Letter/request (non-motion) from Anthony Campbell. (Jones, Sherry) (Entered: 08/23/2005)
08/29/2005	•22	First MOTION for Extension of Time to 12/15/05 to Complete Discovery by Isolations Technologies.(Zall, William) (Entered: 08/29/2005)
08/30/2005	•23	SUMMONS Returned Executed Larry D'Amato served on 3/28/2005, answer due 4/18/2005. (Jones, Sherry) (Entered: 08/30/2005)
08/30/2005	•24	MOTION to Dismiss <i>Defendant, Larry D'Amato</i> by Isolations Technologies.(Zall, William) (Entered: 08/30/2005)
09/07/2005	•25	MOTION to Compel Mr. Michael Rigolli owner of Isolations Technologies to answer the request for admissions by Anthony Campbell.(Jones, Sherry) (Entered: 09/07/2005)
09/07/2005	•26	MOTION to Compel Mr. Michael Rigolli, owner of Isolations Technologies to answer the interrogatories by Anthony Campbell.(Jones, Sherry) (Entered: 09/07/2005)
09/07/2005	•27	Opposition re <u>25</u> MOTION to Compel, <u>26</u> MOTION to Compel filed by Isolations Technologies. (Zall, William) (Entered: 09/07/2005)
09/20/2005	•	Judge F. Dennis Saylor IV: Electronic ORDER entered. ORDER REFERRING MOTION <u>25</u> MOTION to Compel filed by Anthony Campbell,, <u>26</u> MOTION to Compel filed by Anthony Campbell, to Magistrate Judge Charles B. Swartwood.(Castles, Martin) (Entered: 09/20/2005)

09/20/2005	●	Judge F. Dennis Saylor IV: Electronic ORDER entered granting <u>22</u> Motion for Extension of Time to Complete Discovery. No opposition having been filed all deadlines in the scheduling order shall be extended 90 days, pending further order of the court. Discovery completed by 12/15/2005. Dispositive Motions due by 3/28/2006. (Castles, Martin) (Entered: 09/20/2005)
09/20/2005	●	Reset Hearings: Final Pretrial Conference reset for 6/16/2006 at 3:00PM in Courtroom 2 before Judge F. Dennis Saylor IV. Status Conference reset for 1/12/2006 at 3:30PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) (Entered: 09/20/2005)
09/23/2005	● <u>28</u>	Judge F. Dennis Saylor IV: ORDER entered. re <u>24</u> MOTION to Dismiss <i>Defendant, Larry D'Amato</i> filed by Isolations Technologies, (Castles, Martin) (Entered: 09/23/2005)
09/30/2005	● <u>29</u>	Letter/request (non-motion) from Anthony Campbell. (Hassett, Kathy) (Entered: 09/30/2005)
10/12/2005	●	Judge F. Dennis Saylor IV: Electronic ORDER entered granting <u>24</u> Motion to Dismiss for Plaintiff having failed to provide satisfactory evidence of service on defendant D'Amato in compliance with Fed. R. Civ. P. 4(e). (Castles, Martin) (Entered: 10/12/2005)
10/19/2005	● <u>30</u>	Judge Charles B. Swartwood : ORDER entered granting in part and denying in part <u>25</u> Motion to Compel, denying <u>26</u> Motion to Compel, cc/cl. (Roland, Lisa) (Entered: 10/23/2005)
10/23/2005	●	Case no longer referred to Magistrate Judge Charles B. Swartwood. (Roland, Lisa) (Entered: 10/23/2005)
11/04/2005	● <u>31</u>	CERTIFICATE OF SERVICE by Isolations Technologies in <i>Compliance with Court Order of September 19, 2005</i> . (Attachments: # <u>1</u> Supplement Response to Request For Admissions)(Zall, William) (Entered: 11/04/2005)
01/12/2006	●	Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor IV: Status Conference held on 1/12/2006. Case called, Counsel and plaintiff (pro-se) appear for status conference, Counsel for dft informs court of one discovery issue remaining, Parties to file motions to compel by 1/23/06 if they can not resolve the issue, Court sets further status conference: Status Conference set for Thursday 3/9/2006 at 3:00PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Court Reporter M. Kusa-Ryll.) (Castles, Martin) (Entered: 01/12/2006)
01/24/2006	● <u>32</u>	Letter/request (non-motion) from Anthony Campbell. (Attachments: # <u>1</u> Exhibits)(Hassett, Kathy) (Entered: 01/24/2006)
01/24/2006	● <u>33</u>	MOTION to Compel <i>Production of Documents; to Supplement Interrogatory Answers and for Sanctions</i> by Isolations Technologies. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u> # <u>6</u>)(Zall, William) (Entered: 01/24/2006)

02/15/2006	●	Judge F. Dennis Saylor IV: Electronic ORDER entered. REFERRING MOTION <u>33</u> MOTION to Compel <i>Production of Documents; to Supplement Interrogatory Answers and for Sanctions</i> filed by Isolations Technologies, to Magistrate Judge Timothy S. Hillman(Castles, Martin) (Entered: 02/15/2006)
03/09/2006	●	ElectronicClerk's Notes for proceedings held before Judge F. Dennis Saylor IV: Status Conference held on 3/9/2006. Case called, Plaintiff (pro-se) and counsel for dft appear for status conference, Motion to compel is currently before Mag. Judge Hillman, Court extends the date for filing dispositive motions and the final pretrial conference date, Final Pretrial Conference reset for 7/24/2006 at 3:00PM in Courtroom 2 before Judge F. Dennis Saylor IV, Dispositive motions due by 4/28/2006, Court and parties discuss jury trial issue, Court rules that case is jury waived unless plaintiff can convince the Court otherwise, Plaintiff to file motion to reconsider jury trial waiver by 3/23/06. (Court Reporter Kusa-Ryll.) (Castles, Martin) (Entered: 03/09/2006)
03/13/2006	● (36)	MOTION for Jury Trial by Anthony Campbell.(Hassett, Kathy) (Entered: 03/24/2006)
03/14/2006	● (34)	Letter/request (non-motion) from Anthony Campbell. (Hassett, Kathy) Additional attachment(s) added on 3/24/2006 (Hassett, Kathy). (Entered: 03/14/2006)
03/15/2006	● (35)	Letter/request (non-motion) from Anthony Campbell. (Hassett, Kathy) (Entered: 03/15/2006)
03/24/2006	● (37)	Opposition re <u>36</u> MOTION for Jury Trial filed by Isolations Technologies. (Attachments: # <u>1</u> # <u>2</u>)(Zall, William) (Entered: 03/24/2006)
04/14/2006	●	NOTICE OF HEARING: Set hearing as to <u>36</u> MOTION for Jury Trial. Motion Hearing set for Thursday 5/4/2006 at 3:30PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) (Entered: 04/14/2006)
04/26/2006	● (38)	Judge Timothy S. Hillman : ORDER entered granting in part and denying in part <u>33</u> Motion to Compel Production Documents, cc/cl. (Roland, Lisa) (Entered: 04/26/2006)
04/26/2006	●	Case no longer referred to Magistrate Judge Timothy S. Hillman. (Roland, Lisa) (Entered: 04/26/2006)
05/01/2006	●	NOTICE OF RE-SCHEUDLING; (TIME ONLY) Reset hearing as to <u>36</u> MOTION for Jury Trial. Motion Hearing TIME is reset for 5/4/2006 at 10:30AM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) (Entered: 05/01/2006)
05/03/2006	●	NOTICE OF RE-SCHEUDLING: Reset hearing as to <u>36</u> MOTION for Jury Trial. Motion Hearing reset for Wednesday 5/10/2006 at 3:30PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) (Entered: 05/03/2006)

05/10/2006	●	ElectronicClerk's Notes for proceedings held before Judge F. Dennis Saylor IV: Motion Hearing held on 5/10/2006 re <u>36</u> MOTION for Jury Trial filed by Anthony Campbell, Case called, Plaintiff (pre-se) appears and counsel for dft appears for motion hearing, Court grants plaintiff 45 days to retain counsel, If no attorney appearance on behalf of plaintiff is filed within 45 days, Case will be tried as a bench trial, Court orders plaintiff to comply with Magistrate Hillman's order of 4/26/06 by 5/17/06, Court sets further status conference: Status Conference set for 7/10/2006 at 4:00PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Court Reporter M. Kusa-Ryll.) (Castles, Martin) (Entered: 05/10/2006)
05/12/2006	●⑨	Judge F. Dennis Saylor IV: MEMORANDUM AND ORDER entered denying <u>36</u> Motion jury trial. (Castles, Martin) (Entered: 05/12/2006)
05/18/2006	●⑩	Letter from Anthony Campbell. (Jones, Sherry) (Entered: 05/18/2006)
05/21/2006	●⑪	Judge Mark L. Wolf : Electronic ORDER entered. ELECTRONIC ENDORSEMENT "As this case is assigned to Judge Saylor, I do not have the authority to review and reverse the rulings as requested. Therefore, this letter is hereby referred to Judge Saylor." (Attachments: # <u>1</u> Exhibits)(Hassett, Kathy) (Entered: 06/05/2006)
05/25/2006	●⑫	MOTION for Sanctions of <i>Dismissal</i> by Isolations Technologies. (Attachments: # <u>1</u>)(Zall, William) (Entered: 05/25/2006)
06/05/2006	●⑬	Letter from Anthony Campbell. (Attachments: # <u>1</u> Exhibit)(Jones, Sherry) (Entered: 06/05/2006)
06/06/2006	●⑭	Letter from Anthony Campbell. (Attachments: # <u>1</u> Exhibit)(Jones, Sherry) (Entered: 06/08/2006)
06/13/2006	●⑮	MOTION to Strike <u>42</u> Letter/request (non-motion) by Isolations Technologies. (Attachments: # <u>1</u> Affidavit)(Zall, William) (Entered: 06/13/2006)
06/20/2006	●⑯	Letter/request (non-motion) from Anthony Campbell. (Hassett, Kathy) (Entered: 06/20/2006)
07/10/2006	●	ElectronicClerk's Notes for proceedings held before Judge F. Dennis Saylor IV: Status Conference held on 7/10/2006. Case called, Plaintiff (Pro-se) and counsel for dft appear for status conference, Court hears parties on pending motion for sanctions, Court orders plaintiff to produce all documents by 7/25/06, Dft to file any supplemental brief by 7/28/06, Plaintiff to file any reply by 8/2/06, Court will rule on motion after all filings, Court sets further status conference, Status Conference set for 9/29/2006 at 3:00PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Court Reporter M. Kusa-Ryll.) (Castles, Martin) (Entered: 07/10/2006)
07/24/2006	●⑰	Letter/request (non-motion) from Anthony Campbell. (Attachments: # <u>1</u> Sealed document)(Hassett, Kathy) (Entered: 07/24/2006)

07/27/2006	•48	Supplemental MEMORANDUM in Support re <u>41</u> MOTION for Sanctions of Dismissal filed by Isolations Technologies. (Attachments: # <u>1</u> Affidavit of Counsel)(Zall, William) (Entered: 07/27/2006)
07/28/2006	•53	Letter from Anthony Campbell. (Attachments: # <u>1</u> unredacted copies of tax returns)(Docketed when received)(Hassett, Kathy) (Entered: 10/12/2006)
08/01/2006	•49	Letter/request (non-motion) from Anthony Campbell. (Jones, Sherry) (Entered: 08/01/2006)
09/05/2006	•50	Letter and tax documents received from Anthony Campbell. (Jones, Sherry) (Entered: 09/05/2006)
09/25/2006	•51	Letter/request (non-motion) from Anthony Campbell. (Hassett, Kathy) (Entered: 09/25/2006)
09/29/2006	•	ElectronicClerk's Notes for proceedings held before Judge F. Dennis Saylor IV: Status Conference held on 9/29/2006. Case called, Counsel for dft appears for status conference, Plaintiff Pro-se, appears 37 minutes late, Court had commenced conference when plaintiff appears, Court continues to put ruling on the record in regard to the dft's motion to dismiss as a sanction for plaintiff continued failure to comply with the courts orders, Court grants motion to dismiss and case will be dismissed for the reasons stated in open court. (Court Reporter M. Kusa-Ryll.) (Castles, Martin) (Entered: 09/29/2006)
09/29/2006	•	Judge F. Dennis Saylor IV: Electronic ORDER entered granting <u>41</u> Motion for Sanctions for the reasons stated in open court. Case will be dismissed. (Castles, Martin) (Entered: 09/29/2006)
09/29/2006	•52	Judge F. Dennis Saylor IV: ORDER entered. ORDER DISMISSING CASE.(Castles, Martin) Additional attachment(s) added on 9/29/2006 (Castles, Martin). (Entered: 09/29/2006)
10/13/2006	•54	NOTICE OF APPEAL by Anthony Campbell. Filing Fee Not Paid. \$ 455 NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 11/2/2006. (Attachments: # <u>1</u> Exhibit A (unredacted information)# <u>2</u> Exhibit B# <u>3</u> Exhibit C (document size cannot be scanned)# <u>4</u> Exhibit D# <u>5</u> Exhibit E)(Hassett, Kathy) (Entered: 10/13/2006)